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October 6, 2008

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By e-filing

Anne K. Quinlan, Esq.
Acting Secretary
Surface Transportation Board
395 E Street, S.W., Suite 1149
Washington, DC 20024

Re Finance Docket No. 35175, *Roseburg Forest Products Co., Timber Products Company, L.P.; Suburban Propane, L.P.; Cowley D&L, Inc.; Sousa Ag Service and Yreka Western Railroad Company -- Alternative Rail Service -- Central Oregon & Pacific Railroad, Inc.*

Ex Parte No. 346 (Sub-No. 25), *Rail General Exemption Authority -- Lumber or Wood Products*

Dear Ms. Quinlan.

Please refer to the Board's decision in the above proceedings served September 19, 2008. Ordering paragraph 1 of that decision held the proceeding in abeyance until October 20, 2008 while the parties negotiated for a possible resolution of disputed issues, and provided that during that period until October 20, 2008, the parties individually may ask the Board to return the proceedings to active status.

This is to advise the Board that the parties have concluded that negotiations for possible resolution of disputed issues will not be successful. Accordingly, Petitioners hereby ask the Board to return the proceedings to active status.

Very truly yours,

Tom McFarland

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